

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Leach *et al.*

Examiner: BROWN, COURTNEY A.

Serial No.: 10/821,326

Art Unit: 1616

Filed: April 9, 2004

For: *Micronized Wood Preservative Formulations*

**PAYMENT OF INADVERTENTLY OMITTED CLAIM FEES**

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Upon review of the prosecution history of the application captioned above, Applicants believe that certain claim fees were inadvertently not paid as detailed below. Applicants hereby pay the following claim fees that were inadvertently not paid for previously: payment for 39 excess claims, and payment for 4 additional independent claims (due to the amendment of October 20, 2004); and payment for one multiple dependent claim (due to the amendment of June 5, 2009). Accordingly, applicants enclose herewith \$3,298.00.

If any other fees during the prosecution of this application were not paid, the Director is hereby authorized to charge the deposit account as detailed below.

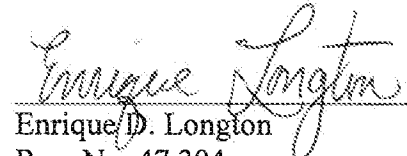
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 13-3250, reference No. 38184.03402. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F. R. § 1.136(a)(3).

Respectfully submitted,

**MILBANK, TWEED, HADLEY & McCLOY LLP**

Date: December 11, 2009

By:

  
Enrique D. Longton  
Reg. No. 47,304

**Customer No. 38647**  
**MILBANK, TWEED, HADLEY & McCLOY LLP**  
1850 K Street, N.W., Suite 1100  
Washington, DC 20006  
Tel. No. (202) 835-7500  
Fax No. (202) 835-7586